

# BOARD OF LEGAL DOCUMENT PREPARERS

## Meeting Agenda – Monday, November 28, 2016

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 – 10:00 A.M. – Conference Room 109

General Inquiries Call: (602) 452-3378 (Certification and Licensing Division Line)

Members of the Public May Attend Meeting in Person

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**For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).**

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**CALL TO ORDER .....Mary Carlton, Chair**

**1) REVIEW AND APPROVAL OF MEETING MINUTES.....Mary Carlton, Chair**

*1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of October 17, 2016.*

**2) PENDING COMPLAINTS.....Division Staff**

*2-A: Review, discussion and possible action regarding complaint number 16-L004, involving certificate holder, Elizabeth Clements.*

*2-B: Review, discussion and possible action regarding complaint number 16-L005, involving certificate holder, Barbara French.*

*2-C: Review, discussion and possible action regarding complaint number 16-L006, involving certificate holder, Betty Ulibarri.*

*2-D: Review, discussion and possible action regarding complaint number 16-L007/16-L008, involving certificate holder, Shannon Trezza and Arizona Statewide Paralegal.*

*2-E: Review, discussion and possible action regarding complaint number 16-L010/16-L011, involving certificate holder, Shannon Trezza and Arizona Statewide Paralegal.*

**3) INITIAL CERTIFICATION AND ELIGIBILITY.....Division Staff**

*3-A: Review, discussion and possible action regarding the following applications for initial, individual, business entity legal document preparer certification and business entity exemption requests:*

1. Kim Abel
2. Jennifer M. Bailey
3. Christy Farmer
4. Legally Savvy, LLC (Christy Farmer)
5. Estefany Gallego
6. Randy Mallari
7. Randy Mallari, PLC
8. Tanairi Ochoa-Martinez
9. Ricky Rose
10. Tag Process Service, Inc. (Kathy Underwood)
11. Jane Benavidez
12. Robert Siddoway
13. Tetrant Legal Documents, LLC (Robert Siddoway)
14. The Aurit Center for Mediation
15. Deisy Perez

*3-B: Review, discussion and possible action regarding the application for individual legal document preparer certification for Leslie Ramirez.*

**4) RENEWAL CERTIFICATION APPLICATIONS.....Division Staff**

*4-A: Review, discussion and possible action regarding the following applications for renewal of individual legal document preparer certification:*

1. Wendy Byford
2. Your Entity Solutions, LLC
3. Michael Aurit
4. Dubravka Sinno
5. Anthem Paralegal Services, LLC

**5) ADMINISTRATIVE ISSUES.....Division Staff**

**CALL TO THE PUBLIC.....Mary Carlton, Chair**

**ADJOURN.....Mary Carlton, Chair**

# **BOARD OF LEGAL DOCUMENT PREPARERS**

## **Agenda Summary – Monday, November 28, 2016**

### **1) REVIEW AND APPROVAL OF MEETING MINUTES**

*1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of October 17, 2016.*

A draft of the regular session minutes for the meeting of October 17, 2016, is attached for the Board's review and consideration.

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## **Agenda Summary - Monday, November 28, 2016**

### **2) PENDING COMPLAINTS**

*2-A: Review, discussion and possible action regarding complaint number 16-L004, involving Elizabeth Clements.*

The Division received a complaint involving Elizabeth Clements. The complaint alleged that Ms. Clements defamed the complainant, is a threat to public safety and that she engaged in unethical and unprofessional conduct.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Elizabeth Clements has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 16-L004.

It is further recommended the Board dismiss complaint number 16-L004.

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## **Agenda Summary - Monday, November 28, 2016**

### **2) PENDING COMPLAINTS**

*2-B: Review, discussion and possible action regarding complaint number 16-L005, involving Barbara French.*

On March 30, 2016, the Division received a complaint against certificate holder Barbara French. The complaint alleged that Ms. French, while employed as a private contract paralegal for the Arizona Department of Corrections, engaged in the unauthorized practice of law by providing the complainant, a current inmate of the ADOC, strategies and case law for his appeal process. Complainant has filed numerous motions, which have all been dismissed, and blames French for the failures by giving him incorrect advice. Complainant further complained about the ADOC Paralegal Program which routinely encourages the unauthorized practice of law through contract services from Arizona certified legal document preparers program.

The matter was investigated and on November 7, 2016 PC Evaluator Mike Baumstark found PC does not exist for allegation 1.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Barbara French has not committed the alleged act(s) of misconduct described in Allegation 1 as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 16-L005

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## **Agenda Summary - Monday, November 28, 2016**

### **2) PENDING COMPLAINTS**

*2-C: Review, discussion and possible action regarding complaint number 16-L006, involving Betty Ulibarri.*

On March 30, 2016, the Division received a complaint against certificate holder Betty Ulibarri. The complaint alleged that Ms. Ulibarri, while employed as a private contract paralegal for the Arizona Department of Corrections, engaged in the unauthorized practice of law by providing the complainant, a current inmate of the ADOC, strategies and case law for his appeal process. Complainant has filed numerous motions, which have all been dismissed, and blames Ulibarri for the failures by giving him incorrect advice. Complainant further complained about the ADOC Paralegal Program which routinely encourages the unauthorized practice of law through contract services from Arizona certified legal document preparers program.

The matter was investigated and on November 7, 2016, Probable Cause Evaluator Mike Baumstark found that probable cause does not exist for Allegation 1.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Betty Ulibarri has not committed the alleged act(s) of misconduct described in Allegation 1 as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 16-L006.

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### 2) PENDING COMPLAINTS

*2-D: Review, discussion and possible actions regarding complaint number 16-L007 and 16-L008, involving Shannon Trezza and Arizona Statewide Paralegal.*

This Complaint was brought before the Board on October 17, 2016. Shannon Trezza and her attorney were present. At that meeting, Ms. Trezza addressed the Board and stated her disagreement with Division staff's findings and recommendations to the Board, as detailed in the Investigation Summary and Allegation Analysis Report. After a period of active discussion on the presenting issues between members of the Board and Ms. Trezza and her attorney, the Board deferred the matter to the next scheduled Board meeting and requested that Complainant attend so that she may be interviewed.

Division staff notified Complainant accordingly. She indicated that she will attend the forthcoming Board meeting.

#### Brief Summary

Complainant hired Ms. Trezza and AZ Statewide Paralegal to prepare garnishment documents. After documents were prepared and filed, Complainant was contacted by the garnishee indicating that the legal documents served upon it could not be accepted because the writ of garnishment and summons were improperly prepared due to the fact that pertinent parts of the document were left blank.

Ms. Trezza and AZ Statewide Paralegal acknowledged making the mistake and offered Complainant a refund of her money or the option of having Ms. Trezza and AZ Statewide Paralegal properly complete and resubmit the documents. Complainant chose to continue with Ms. Trezza and AZ Statewide Paralegal.

When undertaking the work for Complainant, Ms. Trezza asked if Complainant wanted to include the cost of Ms. Trezza's services in the garnishment. In her interview with the Division, Ms. Trezza told Division staff that she was "trained" by an attorney to include legal document preparation fees in garnishment matters and that she has included these fees in all 35 garnishment cases for which she has prepared garnishment documents for customers and did so without any problems reported to her. Ms. Trezza cited A.R.S. § 12-342.02 as the legal basis for recovery of legal document preparation fees.

Complainant claimed that she had no prior experience in garnishment matters and she relied on Ms. Trezza's expertise and when she asked Complainant whether she wanted the legal document preparation fees included in the garnishment documents, Complainant said she questioned Trezza as to whether the fees were recoverable and that based on Ms. Trezza's confidence that those costs were allowed, Complainant agreed to include them.

The attempt to include the legal document preparation fees in the garnishment without proper court order is unsupported by Arizona law as set forth in *Blum v. Cowan*, 235 Ariz. 204 (App. 2014).

Ms. Trezza disputes that inclusion of the legal document preparation fees in garnishment documents without prior court approval is unsupported by state law and maintains that she prepared the garnishment documents lawfully.

**Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Shannon Trezza and AZ Statewide Paralegal, LLC have committed the alleged act(s) of misconduct as detailed in Allegations 1 and 2 of the Investigation Summary and Allegation Analysis Report in complaint numbers 16-L007 and 16-008.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Shannon Trezza and AZ Statewide Paralegal, LLC have not committed the alleged act(s) of misconduct as detailed in Allegations 3 of the Investigation Summary and Allegation Analysis Report in complaint numbers 16-L007 and 16-008.

It is recommended the Board dismiss Allegation 3.

It is further recommended the Board enter a finding grounds for formal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6)(a) for act(s) of misconduct involving violation of ACJA §§ 7-208(J)(4)(b) and 7-208(F)(6)(c) by accepting work related to the preparation of garnishments, failing to supervise those assisting in the preparation of the garnishments and failing to properly prepare the garnishments; and violation of ACJA §§ 7-208(F)(1)(b), 7-208(J)(1)(a) and (J)(5)(a) and (b) by preparing garnishments that violated applicable law and by providing legal advice concerning the garnishment preparation.

It is further recommended the Board issue a Censure.



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### 2) PENDING COMPLAINTS

*2-E: Review, discussion and possible actions regarding complaint number 16-L010 and 16-L011, involving Shannon Trezza and Arizona Statewide Paralegal.*

Complainant contracted with AZ Statewide Paralegal in November 2015 for the purpose of having garnishment documents prepared. As described in Complaint Numbers 16-L007 and 16-L008, Complainant was dissatisfied with the services provided by Shannon Trezza and AZ Statewide Paralegal. Complainant believed that she was entitled to a refund based on advertising that stated AZ Statewide Paralegal offered a money back guarantee.

While it is unclear the guarantee language was relied upon when Complainant retained AZ Statewide Paralegal, her partner had reviewed one or more websites that showed AZ Statewide Paralegal's money back guarantee if customers were not satisfied with AZ Statewide Paralegal's services. While her partner was aware of the sites, Complainant was unaware of the sites at the time AZ Statewide Paralegal was retained.

The Division reviewed the screen prints provided by Complainant of the above-referenced Websites.

- The dexknows website stated, in pertinent part [italics added]:

*At Statewide Paralegal, we hold ourselves to the highest standards, and we guarantee you'll be satisfied, or your money back! For unsurpassed paralegal services, come to AZ Statewide Paralegal.*

- The Yellow Pages site stated, in pertinent part [italics added]:

*Guaranteed Satisfaction or Your Money Back!*

- The azdivorceparalegal.com site, title tag AZ Statewide Paralegal Blog, dated October 10, 2011, stated, in pertinent part: [italics added]:

*Choosing the right paralegal in Tucson is as important as the case that you want them to handle. There are many divorce, custody and child support paralegals in Tucson however, [sic] only one offers hassle free money back guarantee if you are not completely satisfied. All paralegals in Tucson have experience in the field and most know the rules of family law procedure but only one offers a guarantee if you're not satisfied with the service that you pay for. Give us a Call. You will be glad you did.*

In her response to the complaint and in her interview, Ms. Trezza stated she previously had a money back guarantee policy which AZ Statewide Paralegal advertised. She said the policy was in effect when she started the business in 2006 but in November 2013 she instructed her web

designer to remove all language regarding a money back guarantee from her websites. Ms. Trezza provided a copy of the emails exchanged between her and her web designer.

Ms. Trezza said that, in addition to instructing the web designer to remove the money back guarantee language, around the same time, she called Yellow Pages with instructions to remove the money back guarantee language from Yellow Pages sites in which her business was advertised. She said she was told by Yellow Pages staff that the sites were corrected per her instructions.

Regarding dexknows, Ms. Trezza said a number of years ago and prior to using Yellow Pages, she paid a premium to dexknows for advertising but said she has not paid in many years and, as such, did not think that her business was advertising on that site because she had not paid for advertising in years.

The core issue presented in this allegation is whether Ms. Trezza and AZ Statewide Paralegal falsely advertised a money back guarantee policy.

ACJA §7-208(J)(1)(c) requires a certified legal document preparer to “...refrain from knowingly making misleading, deceptive, untrue, or fraudulent representations while assisting a consumer in the preparation of legal documents. A legal document preparer shall not engage in unethical or unprofessional conduct in any professional dealings that are harmful or detrimental to the public.”

§7-208(J)(2)(b) compels the legal document preparer to “...be truthful and accurate when advertising or representing the legal document preparer’s qualifications, skills or abilities, or the services provided....”

As previously noted, Complainant affirmed that she (although her partner was aware) was not aware of AZ Statewide Paralegal’s refund policy prior to or at the time when she contracted with the business and, therefore, it is unclear that it influenced her decision to proceed with hiring AZ Statewide Paralegal. Ms. Trezza appears to have taken steps to remove the money back guarantee representations.

On September 22, 2016, the Probable Cause Evaluator determined that probable cause did not exist regarding Complaint Numbers 16-L010 and 16-L011. Staff recommends that the Board accept the determination of the Probable Cause Evaluator and dismiss Complaint Numbers 16-L010 and 16-L011.

**Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Shannon Trezza and AZ Statewide Paralegal, LLC have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 16-L010 and 16-L011.

It is further recommended the Board dismiss complaint numbers 16-L010 and 16-L011.

# BOARD OF LEGAL DOCUMENT PREPARERS

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### 3) INITIAL CERTIFICATION AND ELIGIBILITY

*3-A: Review, discussion and possible action regarding the following applications for initial individual, business entity legal document preparer certification and business entity exemption requests:*

The following applicant(s) have demonstrated that they meet the minimum eligibility requirements for standard certification, the application(s) are complete and no information has been presented during the background investigation that is/are contrary to standard certification being granted. Therefore, staff recommends that initial certification be granted to the following:

1. Kim Abel
2. Jennifer M. Bailey
3. Christy Farmer
4. Legally Savvy, LLC (Christy Farmer)
5. Estefany Gallego
6. Randy Mallari
7. Randy Mallari, PLC
8. Tanairi Ochoa-Martinez
9. Ricky Rose
10. Tag Process Service, Inc. (Kathy Underwood)

11. Jane Benavidez applied for Legal Document Preparer initial certification. Ms. Benavidez has met the minimum education and experience qualifications for certification. Ms. Benavidez disclosed a dissolution of marriage and a civil tort claim for damages her husband caused. The civil tort claim has since been dismissed with prejudice. Ms. Benavidez also disclosed a termination that occurred in 1994 for calling off work often due to her sick child. Ms. Benavidez stated that she was “missing too much work and when I was at work I was distracted by other personal problems.”

The Division recommends Jane Benavidez be granted Legal document Preparer Certification.

12. Robert Siddoway applied for Legal Document Preparer initial certification. Mr. Siddoway has met the minimum education and experience qualifications for certification. Mr. Siddoway disclosed two civil cases and a criminal case. Mr. Siddoway was listed as a plaintiff in both civil cases. In the criminal case, Mr. Siddoway was arrested for conducting business without a proper license. In 2003, Mr. Siddoway was residing in Utah and decided to try a new business venture painting house numbers on curbs. Mr. Siddoway failed to obtain a proper business license and he was arrested. Mr. Siddoway served no jail time and pled guilty to the misdemeanor offense of conducting business without a license and given a \$50.00 fine. Mr. Siddoway graduated from Arizona State University with his Juris Doctorate. Mr. Siddoway has been admitted to the Arizona Bar.

Staff recommends that Mr. Siddoway be granted his Legal Document Preparer certification but that he also be cautioned concerning the ACJA requirements related to the use of the term “JD” and other similar terms. Staff has provided proposed language of the cautionary note below.

Cautionary language:

*On November 28, 2016, the Board of Legal Document Preparers granted your application for certification. In doing so, the Board instructed Staff to caution you concerning the terms of ACJA §7-208(J)(5)(c) which prohibits the use of the terms JD, Esq. law office or other similar terms. As a member of the Arizona Bar, the Board's certification actions are not intended to address any responsibilities or ethical obligations you may have as a licensed member of the Arizona Bar.*

13. Tetrant Legal Documents, LLC (Robert Siddoway) submitted an application for certification on August 8, 2016,. Mr. Siddoway is the designated principal and sole member and has requested a business entity exemption.

The Division recommends that Tetrant Legal Documents, LLC be granted Initial Certification with the business entity exemption.

14. The Aurit Center for Mediation, LLC, has applied for standard certification as a Business Entity and subsequently for Business Entity Exemption. Aurit Center for Mediation was presented to the Board at the last meeting. The Board requested Staff invite the principal, Michael Aurit, to the next meeting for an interview.

As background, the principal of Aurit Center for Mediation, LLC, is Mr. Michael J. Aurit. Although Mr. Aurit is presently a licensed Arizona attorney, he was not a licensed Arizona attorney when he was initially certified as an LDP on November 24, 2014. The Aurit Center for Mediation has met the minimum standards for certification. As the business has no trainees or other certified document preparers that work for the business, the Business Entity Exemption minimum standards are also met.

Mr. Aurit, while applying for Business Entity certification, in a letter dated September 23, 2016, used the title JD as follows:

Michael Aurit, JD, MDR  
Founder, Professional Mediator  
The Aurit Center for Divorce Mediation  
7231 East Princess Blvd., Suite 202  
Scottsdale, AZ 85255

The Division took this opportunity and interviewed Mr. Aurit, the Principal of The Aurit Center for Mediation to make sure that the business would not offer legal advice or claim to be associated with lawyers. During the interview, Mr. Aurit was provided information concerning ACJA § 7-208 (J)(5)(c):

A legal document preparer shall not provide any kind of advice, opinion or recommendation to a consumer about possible legal rights, remedies, defenses, options, or strategies. This shall not however, preclude a certified legal document preparer from providing the type of information permitted in subsection (F)(1) of this section. A legal document preparer shall inform the consumer in writing that a legal document preparer is not a lawyer, is not a lawyer, is not employed by a lawyer, and cannot give legal advice, and that communications with a legal document preparer are no privileged. A legal document preparer shall not use the designations 'lawyer,' 'attorney at law,' 'counselor at law,' 'law office,' 'JD' 'Esq.,' or other equivalent words, the use of which is reasonably likely to induce others to believe the legal document preparer is authorized to engage in the practice of law in the State of Arizona.

During the interview, Mr. Aurit stated he is aware of his responsibilities and the distinction between the two professions.

After hearing this presentation by staff at the September 26, 2016 meeting, the Board requested Mr. Aurit attend a board meeting to answer questions.

The Division recommends certification of The Aurit Center for Mediation and the business entity exemption but that Mr. Aurit and the Aurit Center for Mediation, LLC, be reminded, in writing, of the responsibilities of the profession pursuant to ACJA § 7-208(J)(5)(c) and that Mr. Aurit be informed that certification as an LDP does not relieve him of any of his responsibilities as an Arizona licensed attorney.

15. Deisy Perez submitted an application for certification as a Legal Document Preparer on July 14, 2016. Ms. Perez possesses the minimum education and experience qualifications for certification. On January 28, 2014, Ms. Perez was denied certification by this Board. The bases of that denial was that Ms. Perez failed to disclose a 2005 arrest for extreme DUI.

It has been more than a year since the Board's previous denial. Ms. Perez disclosed her 2005 arrest and this Board's previous denial on the current application. Ms. Perez's explanation for the previous failure to disclose is that she believed the DUI to be a civil matter.

At the October 17, 2016 LDP board meeting, the Board heard this presentation and requested Division staff invite Ms. Perez to the next board meeting on November 28, 2016 to answer questions.

The Division recommends that Ms. Perez be granted initial certification.

# **BOARD OF LEGAL DOCUMENT PREPARERS**

## **Agenda Summary – Monday, November 28, 2016**

### **3) INITIAL CERTIFICATION AND ELIGIBILITY**

*3-B: Review, discussion and possible action regarding the application for individual legal document preparer certification for Leslie Ramirez.*

Leslie Ramirez was brought before the Board on October 17, 2016. At that meeting, Ms. Ramirez stated her disagreement with Division staff's conclusions regarding her conduct at the Skye Fine Dining and Entertainment, the theft of credit card information and subsequent conversations with Division staff. After discussion, the Board requested that this matter be deferred to the November meeting so that the Board could listen to taped interview discussions. A tape of the relevant discussion does not exist. Ms. Anne Hunter, formerly an employee of the Division and the individual that conducted the interview, will be present by telephone to describe the interview and answer the Board's questions.

#### Brief Summary

Ms. Ramirez submitted an application for legal document preparer certification which demonstrates that she meets the minimum eligibility requirements for certification. In support of her application, Ms. Ramirez included an affidavit disclosing a 2012 conviction for a class 1 misdemeanor, Attempted Theft of Credit Card, which was reduced from a 2010 class 6 undesignated felony after successful completion of the terms of an 18 month unsupervised probation sentence.

Staff interviewed Ms. Ramirez on two occasions with regards to the conviction, due to the nature of the charges and the recency of the conviction. During the investigative process, staff obtained statements, police records and court documentation that presented evidence which appeared inconsistent with the details and circumstances of the offense, as provided by Ms. Ramirez.

In short with regards to the offense, Ms. Ramirez reported that as the hostess of Skye Fine Dining and Entertainment, she had logged credit card information received from customers in payment for various purchases, that she had taken the records of those purchases home with her after a shift, and that her husband (who was in fact only her boyfriend at the time of the offense), had stolen the victim's credit card information, unbeknownst to the applicant, while the records were in the home. Ms. Ramirez indicated that the victim's credit card information was used, by her boyfriend, to make an online purchase of women's clothing and shoes, for an individual other than herself; stating that her responsibility in the offense was that she had made a bad decision in having the confidential information around him. The applicant provided that she realized her boyfriend had committed the offense after the police officer questioned her with regards to the victim's allegations, but took responsibility (and ultimately was convicted) because her boyfriend had had prior offenses which would have resulted in a more severe sentence.

Although Ms. Ramirez asserted that she accepts responsibility for the offense throughout the interview process, staff struggled with the applicant's explanation of the circumstances. The evidence and Ms. Ramirez's explanation do not seem consistent. Staff's investigation determined that in purchasing the women's clothing and shoes with the stolen credit card information, the purchaser used Ms. Ramirez's telephone number, email address, first name and had the merchandise sent to the applicant's then current residence. In addition, the restaurant's former general manager provided that the scope of responsibility for the position of hostess, which Ms. Ramirez held, had neither the responsibility nor the authority to perform any bookkeeping or accounting tasks nor would she have, at any time, been authorized or responsible to take any information or documentation whatsoever, home from the restaurant. These facts conflict with her assertion that the items were stolen by her boyfriend. Moreover, Ms. Ramirez plead guilty to the offense.

While Ms. Ramirez disclosed the conviction, staff found the applicant lacked candor regarding the facts of the offense, that she failed to accept responsibility for her actions, and that the nature of the conviction was relevant to the legal document preparer profession. Staff considered that the applicant was young at the time of the offense and does appear to have made strides towards turning her life around subsequent to the conviction, with regards to her academic and professional goals at Fresh Start Women's Foundation. However, the current failure on Ms. Ramirez's part to accept responsibility for the commission of the offense and her lack of candor with staff during this certification process appears to outweigh any progress. Therefore, staff's recommendation is that the Board deny legal document preparer certification to applicant, Leslie Ramirez, pursuant to ACJA §7-201 (E)(2)(c)(2)(b)(v) *The applicant or an officer, director, partner, member, trustee, or manager of the applicant has a conviction by final judgment of a misdemeanor if the crime has a reasonable relationship to the practice of the certified profession or occupation, regardless of whether civil rights have been restored* for the relevant nature of the applicant's 2010 misdemeanor conviction for attempted theft of credit card and ACJA §7-201 (E)(2)(c)(2)(b) (xiv) *The applicant or an officer, director, partner, member, trustee, or manager of the applicant has made a false or misleading oral or written statement to division staff or the board* for the applicant's lack of candor with division staff regarding the circumstances of the 2010 misdemeanor offense.

# BOARD OF LEGAL DOCUMENT PREPARERS

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### 4) RENEWAL CERTIFICATION APPLICATIONS

*4-A: Review, discussion and possible action regarding the following applications for renewal of individual legal document preparer certification:*

1. Wendy Byford
2. Your Entity Solution, LLC

Wendy Byford applied for renewal of her Legal Document preparer certification. Ms. Byford has met the minimum eligibility requirements for renewal at this time. Ms. Byford disclosed that she and her company had a number of consumer related complaints which she responded to. Ms. Byford provided the complaints and her responses to the complaints.

Ms. Byford explained, she and her business, Your Entity Solution, LLC (“YES”), prepare entity formation paperwork and basic entity education for clients who come from a variety of sources. There were no allegations of improperly prepared documents. Ms. Byford in her response said, “All of our clients come to us by referral or under contract from other organizations. We do not have a sales floor, and do not make outbound sales calls.” YES has no outstanding complaints with the BBB at this time.

The complaints were mostly directed towards Daeus Financial Services, LLC (“Daeus”), a company whom YES contracted to prepare incorporation paperwork and entity education for clients. In the last few years YES says they have prepared documents to form about 6,500 corporations. Daeus had about 65 complaints during that period. Most of the complaints were from customers saying Daeus charged excessive amounts for the services provided. The customers provided their credit card numbers after signing contracts for the agreed upon services. The standard response to the complaints was to come to an amicable amount both parties could agree on. All BBB complaints were resolved.

Staff recommends renewal of Wendy Byford’s LDP individual application, and also recommends renewal of Your Entity Solution, LLC, Ms. Byford’s LDP business application.

3. Michael Aurit submitted a timely application for renewal of his LDP certification and meets the minimum qualifications required by code. Mr. Aurit is presently a licensed Arizona lawyer, he was not licensed as a lawyer when he was initially certified as an LDP on November 24, 2014. We have discussed his initial business application for The Aurit Center for Mediation earlier.

Staff recommends Mr. Michael Aurit’s personal LDP renewal application be granted with the cautionary letter that the Division typically sends to attorneys who want to become Legal Document Preparers.

4. Dubravka Sinno – Staff will present information at the meeting.
5. Anthem Paralegal Services, LLC – Staff will present information at the meeting.